

U.S. Department of
Homeland Security

United States
Coast Guard



Director
National Pollution Funds Center
United States Coast Guard

4200 Wilson Blvd., Suite 1000
Arlington, VA 22203-1804
Staff Symbol: NPFC-Cn
Phone: 202/493-6865
Fax: 202/493-6900
Email: cabrams@ballston.uscg.mil

16465
January 19, 2006

Loss of Subsistence Use of Natural Resources Claims Guidelines

The National Pollution Funds Center (NPFC) has prepared these guidelines to help you in preparing and submitting a Loss of Subsistence Use of Natural Resources Claim (subsistence use claim) to the NPFC when your subsistence use of natural resources has been impaired by an oil spill. If your subsistence use claim is approved, you will be compensated for your loss of subsistence use from the Oil Spill Liability Trust Fund (OSLTF). This package provides instructions and optional forms to help you put together your subsistence use claim. Additional information is also available on the NPFC website, and you can contact the NPFC Natural Resource Damage Claims Division (NRD) for assistance. NPFC contact information, including the NPFC address, phone numbers, and website, are provided in the enclosed information sheet titled NPFC Information Sources.

The most important factors in the successful presentation of a subsistence use claim is that you, the claimant, clearly identify the natural resources damaged by the oil discharge, and that you establish that you, your family and household rely on those damaged resources for your subsistence. A subsistence use of natural resources is an historical or long-term, non-commercial dependence on natural resources to obtain the minimum necessities of life. The enclosed guidance includes examples of subsistence uses of natural resources. The guidance and enclosed optional forms will help you prove your claim. If you have any further questions or concerns, please do not hesitate to call the NPFC NRD Claims Division.

Sincerely,

//s//

CHRISTOPHER W. ABRAMS
Division Chief, Natural Resource Claims Division
U.S. Coast Guard

Enclosures: (1) [NPFC Information Sources](#)
(2) [Loss of Subsistence Use of Natural Resources Claims Guidelines](#)
(3) [Optional OSLTF Claim Form \(CG NPFC-CA1\)](#)
(4) [Optional Claimant's Questionnaire for Loss of Subsistence Use Claim \(CG NPFC-NRD1\)](#)
(5) [Optional Witness Declaration Form for Loss of Subsistence Use \(CG NPFC-NRD2\)](#)



National Pollution Funds Center
Natural Resource Damage Claims Division
4200 Wilson Blvd., Suite 1000
Arlington, VA 22203-1804
(202)493-6860

Loss of Subsistence Use Funding Guidelines

NPFC Information Sources

Natural Resource Damage (NRD) Claims Division

NPFC has developed this Loss of Subsistence Use of Natural Resources Claims Guidelines to help you in putting together your claim. You can obtain additional guidance on line at the NPFC web site or you can contact the NPFC NRD Claims Division for further information or to request additional guidance materials by mail.

Address: Director (Cn)
U.S. Coast Guard
National Pollution Funds Center
4200 Wilson Blvd., Suite 1000
Arlington VA 22203-1804

Telephone: (800) 280 - 7118
(202) 493 - 6860

Fax: (202) 493 - 6839

Web Site: www.uscg.mil/npfc

The following documents are available on the NPFC Web Site at:

www.uscg.mil/npfc/Claims/claims_docs.htm

- Loss of Subsistence Use of Natural Resources Claim Guidelines
- NPFC Claimant's Guide
- Optional OSLTF Claim Form
- Claims Procedures Regulations (33 CFR 136)



National Pollution Funds Center
Natural Resource Damage Claims Division
4200 Wilson Blvd., Suite 1000
Arlington, VA 22203-1804
(202)493-6860

Loss of Subsistence Use Funding Guidelines

Loss of Subsistence Use of Natural Resources Claim Guidelines

This guidance is to assist those who have suffered the loss of subsistence use of a natural resource due to an oil spill in preparing and submitting claims for their loss under the Oil Pollution Act of 1990, as amended (OPA). An OPA subsistence use claim may be appropriate if: 1) you routinely use natural resources for your, your family's and other household members' subsistence, and 2) your use of those resources has been impaired by an oil spill. If you believe you may qualify as a subsistence user of natural resources and have asked for, but have not received, compensation for your loss from the persons responsible for the oil spill or from any other source, you are encouraged to submit a claim for the Loss of Subsistence Use of Natural Resources (subsistence use claim) to the National Pollution Funds Center (NPFC).

By filling out and submitting the optional forms provided in these guidelines to NPFC, it is very likely that you will be providing all the information NPFC will need to decide your subsistence loss claim. You will be contacted by NPFC if more information is needed.

What is a Subsistence Use of Natural Resources?

A subsistence use of natural resources is an historical or long-term, non-commercial dependence on natural resources to obtain the minimum necessities of life. This may include the use of a natural resource for one or more of the following purposes —

1. Direct personal, family or household consumption as food, medicine, shelter, fuel, clothing, tools, or transportation;
2. Making and selling handicraft articles out of non-edible byproducts of fish and wildlife resources taken for personal, family or household consumption;
3. Barter or sharing for personal, family, or household consumption;
4. Customary trade; and
5. Perpetuating traditional subsistence-based cultural or customary ways of life.

“Subsistence use” does not include the use of natural resources for commercial or recreational purposes, or any use of natural resources that is in violation of applicable Federal, State, or other applicable law.

General Requirements for All Claims:

1. You must submit your claim to the NPFC **in writing**, you must state the **amount of monetary loss** you are claiming as a sum certain, and you must **sign the claim in ink**.



National Pollution Funds Center
Natural Resource Damage Claims Division
4200 Wilson Blvd., Suite 1000
Arlington, VA 22203-1804
(202)493-6860

Loss of Subsistence Use Funding Guidelines

2. You must submit documentation with your claim to prove that your claim was presented first to the party responsible for the discharge: The responsible party (RP) is usually the owner and/or operator of the vessel or facility that discharged the oil. If you are not sure who the RP is, ask the Federal or State on-scene coordinator. If the RP is known, OPA requires that you **present your claim to the RP** and allow the RP 90 days to respond to your claim before you can present your claim to the NPFC. However, if the RP replies to you in writing and denies all liability for the claim before the 90 day period is up, you may present your subsistence use claim to the NPFC without waiting the entire 90 days.

We recommend that you use the optional forms provided in these guidelines when you prepare your claim to submit to the RP. Make a copy before signing the form(s) and then sign both sets of copies. Submit one set to the RP and keep one copy for yourself. Send your claim to the RP via certified mail with Return Receipt Requested. In this way, you will have documentation that the RP has received your claim and, if the RP does not pay your claim and does not return your claim package, you will have an originally signed claim that is identical to the claim you presented to the RP, to present to the NPFC.

In some circumstances, usually when the RP is not known, the NPFC may advertise that claims may be presented directly to the NPFC. Such announcements are usually published in local newspapers or posted in public places where claimants, such as yourself, will readily see them. In these situations you do not need to wait 90 days and may submit your subsistence use claim directly to the NPFC immediately.

3. Your subsistence use claim must be presented to the NPFC **within three (3) years** from the date that you knew, or should have known, that you could no longer use the natural resources in your area for subsistence because of the oil spill. This time limit is firm. If you have presented your claim to the RP, are negotiating a settlement, or if you have decided to take action against the RP through the court system, do not lose track of this time limitation. These actions do not delay the time period in which you must present your subsistence use claim to the NPFC. If it appears that this deadline is drawing near, it may be appropriate to submit your subsistence use claim to the NPFC, as a “placeholder”, even though you are still involved in negotiations with the RP or another party for reimbursement. However, the NPFC will not take any action on your claim, other than receiving it and opening a claim file, while such settlement action is still in progress. If in doubt, please call the NPFC, explain your situation, and seek guidance. For NPFC contact information, please see the enclosed [NPFC Information Sources](#).
4. When presenting your subsistence use claim to the NPFC, please send it to:

Director (Cn)
U.S. Coast Guard
National Pollution Funds Center
4200 Wilson Blvd., Suite 1000
Arlington VA 22203-1804



National Pollution Funds Center
Natural Resource Damage Claims Division
4200 Wilson Blvd., Suite 1000
Arlington, VA 22203-1804
(202)493-6860

Loss of Subsistence Use Funding Guidelines

5. You have the burden of **proving your claim**. This is done by providing evidence and information, referred to as documentation, needed to support your claim. The enclosed optional forms have been designed to assist you in providing this information. The NPFC may request additional information after receiving your subsistence use claim to clarify the basis of your claim or the documentation you have provided. It is your responsibility to provide the additional information requested or request an extension of time within the deadline specified in NPFC's request.
6. This documentation must include, but is not limited to:
 - The date, time and place of the oil spill, if known.
 - The name and location of the body of water impacted by the oil spill.
 - The type and quantity of oil spilled, if known.
 - The name of the vessel or facility that spilled the oil, if known.
 - A general description of the extent of the oil spill and the geographical area impacted by the spill.
 - Your contact information: Name, address, telephone number, and e-mail address if available.
 - The RP's contact information: Name, address, telephone number, and e-mail address if available.
 - A statement that the claim and all the supporting documentation has been presented to the RP, if applicable, and whether you are continuing to negotiate a settlement with the RP.
 - The specific documentation on subsistence use described below.

Using the Optional OSLTF Claim Form will help you to provide this general claim information.

Multi-party Claims:

If you have suffered a subsistence use loss due to an oil spill incident you can submit a subsistence use claim for yourself and for your immediate family and household members. The sharing aspect of subsistence use also implies that persons outside the immediate family or household of a claimant may be impacted by the claimant's loss of subsistence use. Under such circumstances, and on a case-by-case basis, it may be appropriate for a claimant to claim a loss of use for one or more persons outside of the claimant's immediate family or household. In such a situation, the affected non-family, or non-household, members must subrogate (release) their rights to the claimant (in writing) in order for the claimant to submit a claim encompassing those additional persons.



National Pollution Funds Center
Natural Resource Damage Claims Division
4200 Wilson Blvd., Suite 1000
Arlington, VA 22203-1804
(202)493-6860

Loss of Subsistence Use Funding Guidelines

A similar scenario might involve a community presenting an aggregate subsistence use claim on behalf of the members of the community. In that situation each member of the community who is included in the aggregate claim, must release his or her rights (in writing) to the community claimant in order for the community claimant to submit the subsistence use claim encompassing the multiple parties.

Specific Requirements for Subsistence Use Claims:

1. Your subsistence use claim must establish that you are a person who directly depends upon the natural resources which have been injured, destroyed, or lost, for your subsistence. Witness statements (such as the Optional Loss of Subsistence Use Witness Declaration Form) supporting the claim should be included. A witness statement is an affirmation under law by a tribal or community leader, or by any other person with personal knowledge who can affirm your use of the affected natural resources for subsistence purposes.
2. The amount of compensation allowable from the OSLTF for subsistence use losses is determined by:
 - The reasonable replacement cost of the subsistence use loss suffered if no reasonable alternative is available. Provide receipts, if available, if replacement foods are purchased.
 - The reasonable amount of any increased costs associated with obtaining an alternative source or means of subsistence if such a source is available. Describe the alternative source used and document the additional costs associated with the use of that alternative source, over and above your normal subsistence gathering expense.
3. The amount of compensation from the Fund for subsistence use losses will take into consideration:
 - Other compensation made available to you for your subsistence use loss.
 - Income you earned at other employment or activities during the time you would have otherwise spent to obtain the lost or injured natural resources for subsistence use.
 - Overhead or other expenses normally incurred in subsistence use that were avoided because of the loss of subsistence use as a result of the injury, destruction, or loss of the natural resources.
4. Your documentation must include, but is not limited to:
 - What resources were injured, destroyed or injured? Identify the specific natural resources used for subsistence that were injured, destroyed or lost by the oil spill incident and are the subject of your subsistence use claim.



National Pollution Funds Center
Natural Resource Damage Claims Division
4200 Wilson Blvd., Suite 1000
Arlington, VA 22203-1804
(202)493-6860

Loss of Subsistence Use Funding Guidelines

- What subsistence uses did you make of these resources? Identify all the subsistence uses of the injured, destroyed or lost natural resources for which you are claiming compensation.
- How were these resources damaged? Provide a description of how the natural resources were injured, destroyed or lost by the oil spill.
- What were your pre-spill uses of these resources? Provide a description past subsistence use made of each impacted natural resource prior to its being impacted by the oil spill.
- How much did you depend on these resources? Provide a description of the extent to which you, your family and other household or non-household members, directly depend on your use of the impacted natural resources for subsistence, including the identity of the individuals affected.
- How and to what extent was your use of these resources affected by the oil spill? Provide a description of how and to what extent your subsistence use was affected by the injury, destruction or loss of each impacted natural resource.
- What did you do to obtain identical or similar replacement resources? Provide a description of all efforts you made to minimize your loss of subsistence use, including whether any reasonable and acceptable substitute resources or other means of subsistence were available. If available substitute resources are unacceptable alternatives, explain why (e.g., cultural and traditional use reasons).
- Did you receive any compensation (money or items/services of value) for the loss of these resources? Provide a description of any compensation you have received from other sources such as state, local government, and/or an RP, for your subsistence use loss. If the RP pays your claim, or any part of it, after you have submitted a claim to the NPFC, you must notify NPFC of that payment.
- Has the loss of these resources cost you money? State and provide available documentation of your costs associated with your loss of subsistence use, including any added costs you had to incur or may need to incur. Include an explanation of the basis of any estimated costs.

Loss of traditional subsistence-based cultural or customary ways of life:

Sometimes the subsistence loss suffered involves the impairment or loss of cultural or customary ways of life that depend on long-established patterns of subsistence use of natural resources, such as those incorporating beliefs and customs which have been transmitted from generation to generation. Subsistence use claims for the loss of opportunity to perpetuate subsistence-based cultural or customary traditional ways of life, such as the gathering, consumption or non-commercial production of products made from natural resources may be submitted to the NPFC. This type of subsistence use claim requires that you prove that you share a common cultural or customary way of life, involving traditional values with a group or community whose subsistence use of the affected natural resource is essential to the preservation of those traditional



National Pollution Funds Center
Natural Resource Damage Claims Division
4200 Wilson Blvd., Suite 1000
Arlington, VA 22203-1804
(202)493-6860

values. Compensation available for such a loss includes the reasonable cost you incur assessing the loss, including identifying appropriate measures necessary to preserve the traditional customs and cultural values, and the costs to you to carry out activities necessary to preserve the traditional values. Subsistence use claims that involve a traditional values aspect must be fully described and should provide the following additional information:

- What was the cultural and/or traditional use that was impacted by the oil spill? A description of the subsistence-based cultural or customary traditional way of life, including values and events associated with the subsistence use impacted by the oil spill.
- An historic summary of the impacted cultural and/or traditional use: A description of how the customs and cultural values and events evolved, including how long they have existed and the extent to which they are consistent with patterns of use that incorporate beliefs and customs that have been transmitted from generation to generation.
- What has been done or should be done to allow these traditional customs or cultural values or events to continue? A description of the actions taken or activities proposed necessary to preserve the impacted customs or cultural values or events.

Department of Homeland Security U.S. Coast Guard National Pollution Funds Center 4200 Wilson Boulevard, Suite 1000 Arlington, VA 22203-1804	<h2 style="text-align: center;">Optional OSLTF Claim Form</h2> <p style="text-align: center;">CG NPFC-CA1 (Rev. April 03)</p>
--	---

PURPOSE: This form may be used for submitting claims to the U.S. Coast Guard, National Pollution Funds Center, for potential compensation from the Oil Spill Liability Trust Fund for uncompensated removal costs or damages resulting from an incident under the Oil Pollution Act of 1990 (OPA). You may use your own version of this form. PLEASE PRINT OR TYPE.

1. Claimant Information: Name: _____

 Address: _____

 Home Tel. #: _____ Work Tel. #: _____

 Fax Number: _____ E-mail: _____

2. Incident Information: Date: _____ Time: _____ NRC Report #: _____

Name of vessel or facility causing damage: _____

Geographic location of incident: _____

Brief description of the incident: _____

3. Type(s) of claim(s) and total amount for costs and damage(s) claimed: \$ _____ Removal Costs

\$ _____ Subsistence Use \$ _____ Profits & Earning Capacity \$ _____ Public Services

\$ _____ Natural Resources \$ _____ Government Revenues \$ _____ Real or Personal Property

 \$ _____ *Total Amount Claimed*

4. Has claimant communicated with the responsible party? ☐ No ☐ Yes

5. Has the claim been submitted to the responsible party? ☐ No ☐ Yes Date Submitted: _____

6. If the claim has been submitted to the responsible party, what action has the responsible party taken?

☐ No Action ☐ Denied ☐ Other – Explain: _____

7. Has claimant commenced an action in court to recover costs which are the subject of the claim?

☐ No ☐ Yes If yes, provide the name, address, phone number of your attorney, the court in which action is pending and the civil action number: _____

Optional OSLTF Claim Form

CG NPFC-CA1

8. Has claimant submitted or planned to submit the loss to an insurer? ☐ No ☐ Yes Please provide the name, address, and phone number of your insurer, the policy number, and explain any compensation received:

9. Description of the nature and extent of damages claimed (Attach additional information as necessary):

10. Description of how the incident caused the damage:

11. Description of actions taken by claimant/representative to avoid or minimize damages:

12. Witnesses:

Name: Tel. No.:

Address:

Name: Tel. No.:

Address:

13. List Documents or Attachments (Attach additional information as necessary):

- a.
- b.
- c.
- d.
- e.

I, the undersigned, agree that upon acceptance of any compensation from the Fund, I will cooperate fully with the United States in any claim or action by the United States to recover the compensation. The cooperation shall include, but is not limited to, immediately reimbursing to the Fund any compensation received from any other source for the same costs and/or damages and, providing any documentation, evidence, testimony, and other support, as may be necessary for the Fund to recover such compensation.

I, the undersigned, certify that, to the best of my knowledge and belief, the information contained in this claim represents all material facts and is true. I understand that misrepresentation of facts is subject to prosecution under Federal law (including but not limited to 18 U.S.C. 287 & 1001 and 31 U.S.C. 3729).

14. Claimant's Signature Date
Printed Name of Signer:

15. Legal Representative Date
Title/Legal Capacity:

PRIVACY ACT STATEMENT

AUTHORITY: 33 U.S.C. 2713. **PRINCIPAL PURPOSE:** To aid the Coast Guard in adjudicating claims for reimbursement of removal costs and damages from oil spills when the Responsible Party has not paid.

ROUTINE USES: Information on reimbursements may be provided to the Internal Revenue Service for tax purposes and may be provided to the Department of Justice for litigation against the Responsible Party.

DISCLOSURE: Decision to submit a claim is voluntary; but, if proper information is not furnished by the claimant, the Government may be unable to evaluate or pay a claim.

This information applies to all claims against the Oil Spill Liability Trust Fund, whether or not the Optional OSLTF Claim Form is used.

OPTIONAL OSLTF CLAIM FORM — INSTRUCTIONS

Please provide all information, evidence, and documentation that supports the removal costs and/or damage(s) claimed. **Use additional sheets or pages, as necessary,** to provide information, evidence, and documentation. The following numbered paragraphs correspond to the numbers on the optional claim form:

1. Complete name, street, city, state, ZIP and phone number of the claimant (party that incurred damage and is seeking reimbursement).
2. If known, provide the following incident information on the oil spill or threat of oil spill causing or suspected of causing the removal costs and/or damage(s) claimed:
 - * The identity of the vessel, facility or entity causing or suspected of causing the incident.
 - * Describe the geographic area and waterway directly affected by the oil spill or threat of oil spill.
 - * Briefly describe any known information regarding the occurrence of the oil spill or threat of oil spill.
3. Indicate the amounts by the type of claim(s) being submitted. Provide the total amount claimed.
4. Indicate if claimant has had any communication (written or verbal) with the entity causing or suspected of causing the damage(s) claimed.
5. Has the claimant or the claimant's legal representative submitted the claim(s) to the entity causing or suspected of causing the damage claimed? If yes, include the date submitted.
6. If claim was submitted to the responsible party, indicate any response (written or verbal) or any payment you have received. Provide the date the claim was submitted.
7. Indicate if the claimant is pursuing a claim(s) against the responsible party by legal representation in a court of law. If yes, provide all information that will enable us to contact your legal representative and identify your case.

* * **At the bottom of the first page of the form, please initial and date the page.** * *

-
-
8. Indicate if claimant is pursuing payment from an insurance carrier for costs that are included in the claim. If yes, provide all information that will enable us to contact the insurer and identify the claimant's policy.
 9. Provide detailed information, evidence, and documentation that describes the extent of the damage(s) claimed. Attach copies, if necessary, of all pertinent information.
 10. Provide any information, evidence, and documentation that will help describe how the oil spill, or threat of oil spill, caused the removal costs and/or damage(s) claimed.
 11. Provide any information, evidence, and documentation that describe the actions of the claimant or any other person on the claimant's behalf to reduce or avoid the damage(s) claimed.
 12. Provide the name, address and telephone number (if known) of any witness to the damage(s) claimed. On a separate page provide a summary of each witness's knowledge of the damage(s) claimed or the incident causing or suspected of causing the damage(s) claimed.
 13. If you provide additional documents, please list them here or on a separate piece of paper.
 14. If the claimant is an individual, that person must sign the claim. If the claimant is a corporation, an officer of the company must sign the claim. All signatures must be in ink to be valid.
 15. If the claim is presented by a legal representative, that legal representative must also sign the claim. Provide the complete address and phone number of that legal representative.

Submit your claim, with any necessary information, evidence, and documentation to:

Director (ca)
National Pollution Funds Center
4200 Wilson Blvd., Suite 1000
Arlington, VA 22203-1804

Claims for Natural Resource Damages or for Loss of Subsistence Use of Natural Resources may be addressed to "Director (cn)".

We recommend that you keep the Privacy Act Statement and a copy of the claim for your files.

Department of Homeland Security U.S. Coast Guard National Pollution Funds Center 4200 Wilson Boulevard, Suite 1000 Arlington, VA 22203-1804	Optional Claimant's Questionnaire for Loss of Subsistence Use Claim CG NPFC-NRD1 January 2006
--	--

PURPOSE: This form may be used in conjunction with the **Optional OSLTF Claim Form** (CG NPFC-CA1) or other general claims submission, to provide additional information for submitting a Loss of Subsistence Use Claim to the National Pollution Funds Center. You may use your own version of this form or submit your claim on a separate sheet of paper. Always include the signed certification at the end of this form on any submission. You may attach additional pages as needed, and any supporting documents, including costs documents and witness statements that you believe will help prove your claim. PLEASE PRINT CLEARLY OR TYPE.

Claimant's Name: _____

1. Describe the natural resource(s) that you use. Please include information pertaining to the location, climate, seasonal and other factors affecting the availability of the natural resource(s) you use.

2. How has the oil spill affected the natural resource(s) you use? Please include information pertaining to the location of the affected natural resource(s), weather and seasonal factors that affected the extent of the impact, area closures, type of resource damage (e.g., injury, destruction, loss), and all other potentially relevant information.

3. Describe your pattern of past use of the affected natural resource(s). Please specify when, where and how often you use the affected natural resource(s), including whether your use of the affected natural resource(s) is seasonal, occasional, for special events, or other specific purpose.
4. How long have you been using the natural resource(s) for each described purpose?
5. If the affected resource is used as part of your diet, please describe your diet. What percentage of your diet consisted of the affected natural resource(s)? Include information on the individuals in your family or household who rely on your use of the natural resource(s) as part of their diet and the extent of that reliance.

6. If the affected resource(s) is(are) not consumed as part of your diet please, describe its use(s), including the amount(s) you typically use, and the individuals in your family or household who rely on your use of the natural resource(s) for the stated purpose(s).
7. For each described purpose, what quantities of the natural resource(s) do you normally use on a daily, weekly, and monthly basis?
8. Describe and list all alternatives to the affected natural resource(s) that are or could be made available to you. This includes alternate harvest areas, alternate food sources (e.g., grocery store, market), and other means of replacing your use of the affected resource(s).

9. For each affected natural resource, which available alternative (from Question #8) did you chose and employ or would you chose if your claim is paid? Explain why this is the preferred alternative.

10. Describe the measures taken, based on the preferred alternative(s) (Question #9), to mitigate your loss of use of the affected natural resource(s), and the associated costs of those actions. Please include all available documentation to support any additional expenditures you incurred due to the lost use of the natural resource(s) (e.g., grocery bills, financial statements, receipts for the purchase of equipment, and additional transportation receipts).

11. Describe in detail any traditional cultural or customary use you and your community make of the affected natural resource(s). (If the affected resource(s) play(s) no such role please leave blank).

12. Please use the space below to include any further information relevant to the determination of your claim.

I, the undersigned, certify that to the best of my knowledge and belief, the information contained in this declaration represents all material facts and is true. I understand that misrepresentation of facts is subject to prosecution under Federal law (including but not limited to 18 U.S.C. 287 and 31 U.S.C. 3729) declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Claimant's Signature

Date

Department of Homeland Security U.S. Coast Guard National Pollution Funds Center 4200 Wilson Boulevard, Suite 1000 Arlington, VA 22203-1804	Optional Witness Declaration Form for Loss of Subsistence Use Claim CG NPFC-NRD2 January 2006
--	--

PURPOSE: This form may be used to provide a certified witness statement in support of a Loss of Subsistence Use Claim to the National Pollution Funds Center, about which you have personal knowledge. You may provide your certified statement on your own version of this form or on a separate sheet of paper. Attach additional pages as needed. Also, attach any documents in support of your declaration. PLEASE PRINT CLEARLY OR TYPE.

Declaration of _____ **for** _____
(Name of witness) (Name of claimant)

1. Witness Information:

Name: _____

Address: _____

Phone Number: _____

Other Contact Information (e.g., e-mail, fax number): _____

Relationship with Claimant: _____

How long have you known the claimant? _____

- 2. Describe what you know from personal observation about the oil spill incident and how it impacted the use of natural resource(s) in the claimant's area. Include when the spill occurred, the geographic extent of the impacted area, the resources affected, and the duration of the impact on the claimant's use of each resource affected. (Attach additional page(s) as needed)**

- 3. Describe what you know, from personal observation, about the claimant's use of the affected natural resource(s) prior to the oil spill. Include a description of the specific natural resource(s) the claimant used, how, how long and how often the claimant used the natural resource(s), and (if known) the number and identity of other persons who relied on the claimant's use of the natural resources for their subsistence. (Attach additional page(s) as needed)**

- 4. Describe what you know about alternative activities, if any, the claimant undertook to mitigate the impact of the loss of use of the impacted natural resource(s). Include a description of any alternative natural resources or alternative gathering locations that you know from personal observation or experience were available for use by the claimant following the oil spill, and the extent to which they were used by the claimant: (Attach additional page(s) as needed)**

I, the undersigned, certify that to the best of my knowledge and belief, the information contained in this declaration represents all material facts and is true. I understand that misrepresentation of facts is subject to prosecution under Federal law (including but not limited to 18 U.S.C. 287 and 31 U.S.C. 3729) declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Witness's Signature

Date